IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No.1797 of 1988
Date of decision: 7.3.2007

Tilak Taneja and others ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. J.P.Sharma, Advocate for the petitioners
Ms.Ritu Bahri, Deputy Advocate General, Haryana
for the respondents.

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RAJESH BINDAL, J.

The short issue raised in the present case is pertaining to charging of octroi. It is not disputed that in November, 1999, octroi itself has been abolished in the State of Haryana. At the time of admission of the petition, petitioners were not granted any stay. Resultantly, the petitioners have paid cotroi during the pendency of the writ petition.

In my view, in view of the abolition of the octroi in the State of Haryana, determination of the issue in the present case is rendered academic. The petitioners may not be able to get the refund of the octroi already paid as the burden thereof might have passed to the next buyers of the goods.

Accordingly, the writ petition is disposed of as such. However, it will not preclude the petitioners to file a fresh petition challenging the octroi on the same or similar ground in case the same is imposed again.

March 07,2007 **(Rajesh Bindal)**
Pka **Judge**